

PART 723 - 3: STATE AND FEDERAL RESPONSIBILITIES

State and federal agencies have multiple programs and functions pertaining to emergency water supply management. The following sections describe the responsibilities of state and federal agencies and other organizations relative to their role in emergency water supply. This is not intended to be an exhaustive list of all services and functions but addresses regulatory authority, operating responsibility, and sources of funding for drinking water crises.

3-1 RHODE ISLAND DEPARTMENT OF HEALTH (DOH)

The DOH has primary responsibility for health, safety and welfare of the state's population. Since 1897 the DOH has been authorized to order abatement of pollutants into watersheds of public drinking water supplies. In 1956 it received the authority to set quality standards for public drinking water. Obligations in the realm of drinking water extend through several divisions of the department; however, the Office of Drinking Water Quality has primary responsibility for assessing water quality, determining effects on public health, and enforcing the standards of the Safe Drinking Water Act.

The DOH inspects individual water suppliers for proper operation and conducts sanitary surveys documenting problems and remedies. The DOH must approve plans for the construction or substantial alteration of any public water supply system, which includes "... all sources and facilities involved in collecting, treating, storing, and distributing water" that has 15 or more service connections or regularly serves an average of at least 25 individuals daily. DOH officials evaluate and approve all new, existing, or alternate sources of public water supply including emergency interconnections, and their authority also extends to set minimum standards consistent with human health for the quality of all drinking water supplies.

The DOH responds to water emergencies and has primary responsibility for incidents involving contamination. Department staff monitor possibility of principal and emergency water sources including trucked and bottled water, supervise the collection of chemical and bacteriological samples, and issue "boil water" notices or other health advisories when necessary to protect public health and safety. The DOH provides laboratory support for water testing and assesses the extent of an incident by sampling results before determining the magnitude and degree of assistance required.

Many of the DOH requirements for public water supply systems are mandated by the Safe Drinking Water Act; the DOH is the state-designated primacy agency responsible for regulation of water supply systems. The DOH is charged by Executive Order 80-8 [1980] with monitoring private drinking water wells, on request of the owner, within a one-half mile radius of known or suspected hazardous waste disposal sites. The DOH maintains a list of all public and private community, non-transient non-community, and transient water systems, principal water supplier personnel, and surface water intake locations of reservoirs. In worst case scenarios the DOH may require that continuity of water supply be maintained at least to meet firefighting and sanitary flow.

The Director of the Department of Health keeps the Governor's office apprised of emergency events and of the need for additional assistance. The DOH routinely works directly with water suppliers and local officials notifying them of their obligation to inform the public of violations and emergency status as violations occur. Although none have occurred in AI, the Division of Disease Control looks for and controls large-scale outbreaks of communicable disease including water borne diseases. The Division of Food Protection has responsibility for inspecting food delivery establishments and advising on purification and use of water for cooking, and sanitation in food establishments.

**Contact: Department of Health
Office of Drinking Water Quality
3 Capitol Hill Providence, RI 02908**

**Tel: 222-6867
(nights, weekends, holidays) 272-5952**

3-2 RHODE ISLAND WATER RESOURCES BOARD (WRB)

The Water Resources Board [WRB] is authorized by RI General Laws, Chapter 46- 15 (1967) to plan for finance, and develop water supply projects and is authorized to acquire, lease, and/or operate any municipal water supply system by authority of 1970 amendments. The WRB ensures adequate supply by approving pipe sizing between systems or communities and by overseeing source development and servicing outside of corporate limits. The WRB is also authorized by Executive Order (1980) to provide technical assistance to cities, towns, and water districts that have closed water supplies upon discovery of chemical contamination.

The Rhode Island Water Resources Board collects data on both surface and groundwater and performs a monitoring and coordinating function during periods of drought. The Board provides 25-50 percent of the cost of construction and acquisition of land for approved water transmission facilities of public water supply systems under the Water Facilities Assistance Program. These actions require approval of the State Planning Council and the Division of Public Utilities. The Water Development Fund is a revolving loan fund available to all public water suppliers for new transmission projects and, because of recent amendments, can be used for water meter replacement.

The RI Water Resources Board under RI General Law 46-15.7 in 1997 was designated by the legislature and the Governor as the state agency, which manages the withdrawal and use of the waters of the State of Rhode Island.

**Contact: RI Water Resources Board
100 North Main Street (5th Floor)
Providence, RI 02903 Tel.**

222-2217

3-3 RHODE ISLAND DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (DEM)

The DEM has primary responsibility for regulation and use of the state's natural resources. The DEM obligation in the realm of drinking water extends to several divisions of the department, each having a unique responsibility.

The DEM Office of Waste Management responsible for the intermediate and long-term response to releases of hazardous materials and petroleum to the environment. The DEM Emergency Response Program responds to immediate instances of such releases. The DEM assesses the type and level of response required and usually activates an emergency response team for containment and clean up of hazardous releases.

The DEM maintains stand-by contracts with private firms whose service or expertise may be required during a hazardous spill emergency. DEM is responsible for enforcing the 1986 Superfund Amendments and Reauthorization Act [SARA] Title III regulations regarding hazardous material mitigation and response.

The Office of Water Resources is charged with establishment of policy to protect the purity of present and future groundwater supplies. The Section monitors surface and groundwater supplies for extent of contamination or plumes as necessary in an emergency. Other DEM staff in groundwater protection, freshwater wetlands, and water resources participate in evaluating the extent of contamination incidents and proximity to drinking water supplies for hazardous releases.

The DEM designates and classifies all groundwater sources and related aquifers, watersheds, and recharge areas, and is required to develop a plan to protect aquifers from identifiable harms. Depictions of these areas relative to the state's potable water supplies are shown in Figures 723-3(1) and 723-3(2). The program provides bottled drinking water to private homeowners whose wells have been contaminated by an anthropogenic, off-site pollution source as resources allow. The program is funded through the state's Environmental Response Bond Fund and is only available for isolated cases of contamination.

The DEM keeps the Governor's office apprised of emergency incidents and assesses the type and amount of additional assistance required when responding to hazardous materials releases. The DEM works cooperatively with DOH to estimate damages and ascertain the best methods of protecting the public from the consequences of potable water emergencies.

**Contact: Department of Environmental Management Enforcement Division
85 Park Street
Providence, RI 02908 (24 hours)**

**Tel: 222-3070
(800) 498-1336**

**Office of Waste Management
235 Promenade Street
Providence, RI 02908**

222-2797

**Office of Water Resources
235 Promenade Street
Providence, RI 02908**

222-2234

3-4 PUBLIC UTILITIES COMMISSION (PUC)

The Public Utilities Commission (PUC) is an independent commission established in 1912, charged with responsibility for the regulation of all public water companies that sell retail water to customers beyond corporate boundaries of the municipality. These include: the Kent County Water Authority, Newport Water Department, Pawtucket Water Supply Board, Providence Water Supply Board, Woonsocket Water Department, and two privately held water companies. Prudence Island Water and Wakefield Water Company.

The PUC reviews and is responsible for approval of tariff rate increases for all regulated public utilities. It requires compliance with the "Rules and Regulations Proscribing Standards for Water Utilities." PUC authority over water systems also includes the imposition of mandatory restrictions on water use in drought-stricken water utility service areas.

The PUC is a primary responder to water emergencies that involve prolonged power failures and affect the ability of a water supplier to maintain a safe and adequate water supply. The PUC Emergency Preparedness Plan directs PUC employees to emergency locations and positions staff to review operations of utilities, or aid in consumer support or communications. Mobile field crews are notified of restoration priorities and directed to areas of highest need. The PUC monitors restoration efforts by the utility companies and coordinates any unforeseen circumstances with the utilities.

The PUC generally activates its emergency function in response to emergencies as they are declared by the Governor, but it is also prepared to respond without this notice. The PUC maintains contact with the Governor's office and stations a staff person at the Emergency Management Agency in the state capitol during emergencies. The PUC administrator is responsible for informing the Governor's office of the extent of damage to utilities and the effect on operational public service systems.

Contact: Public Utilities Commission

89 Jefferson Boulevard Warwick, RI 02888

(days) Tel: 222-4500

Contact EMA all other hours 946-9996

3-5 RHODE ISLAND EMERGENCY MANAGEMENT AGENCY (RIEMA)

The RIEMA is charged with assuring prompt, proper and effective discharge of fundamental responsibilities related to disaster preparedness operations and recovery. Direction for RIEMA programs comes under the direction of the Federal Emergency Management Agency (FEMA), with written guidance and contractual obligations. General policy guidance comes from the Lt. Governors Emergency Management Advisory Committee.

RIEMA will assume a critical role in ensuring coordination of needed services and supplies and communication among state, federal and local government. Through the Emergency Support Functions established at RIEMA coordination of acquisition and transportation of large amounts of boiled water or other equipment and supplies can be coordinated at the Emergency Operations Center (EOC).

As part of its statutory responsibility, RIEMA may act as the states coordinating agency with all other state and federal agencies including FEMA and the RI National Guard. Coordination efforts may include requests for disaster declarations with SBA, Us Army Corps of Engineers, USDA

Assistance of this type may require a local declaration of emergency by the municipal government, when the situation exceeds their capacity to respond. Likewise the State may be required to declare a limited state of emergency to request federal assistance to mitigate the potential water emergency.

RIEMA has a mobile communications command post that may be available to the affected community to assist in communications and maintains close contact with the Governors office on the need and available of state assistance.

Contact : Rhode Island Emergency Management Agency

**654 New London Avenue,
Cranston, RI 02920**

Tel. 946-9996

24 hours answering service Fax 944-1891

Figure 723-3 (1): Surface Public Drinking Water Supplies

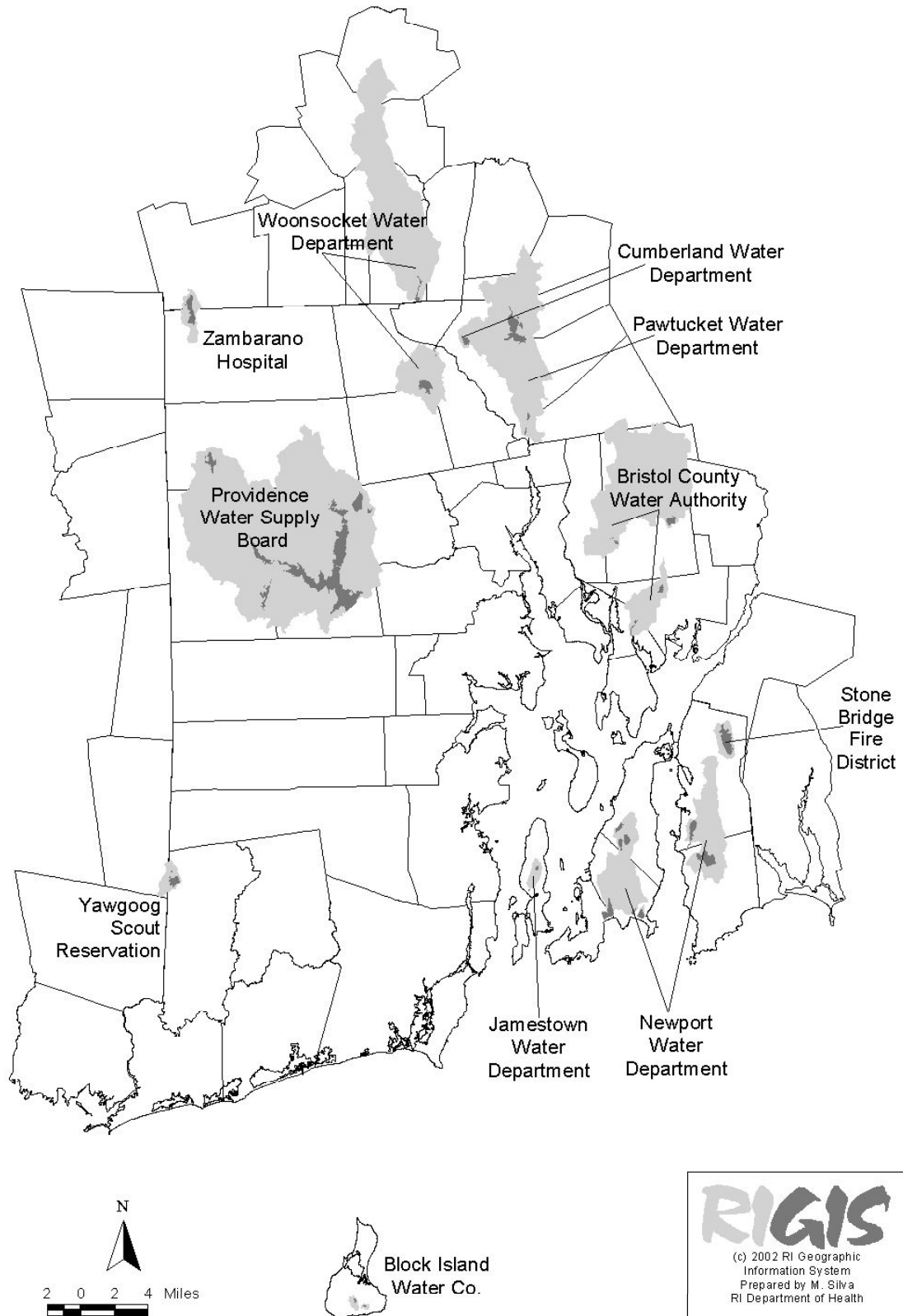
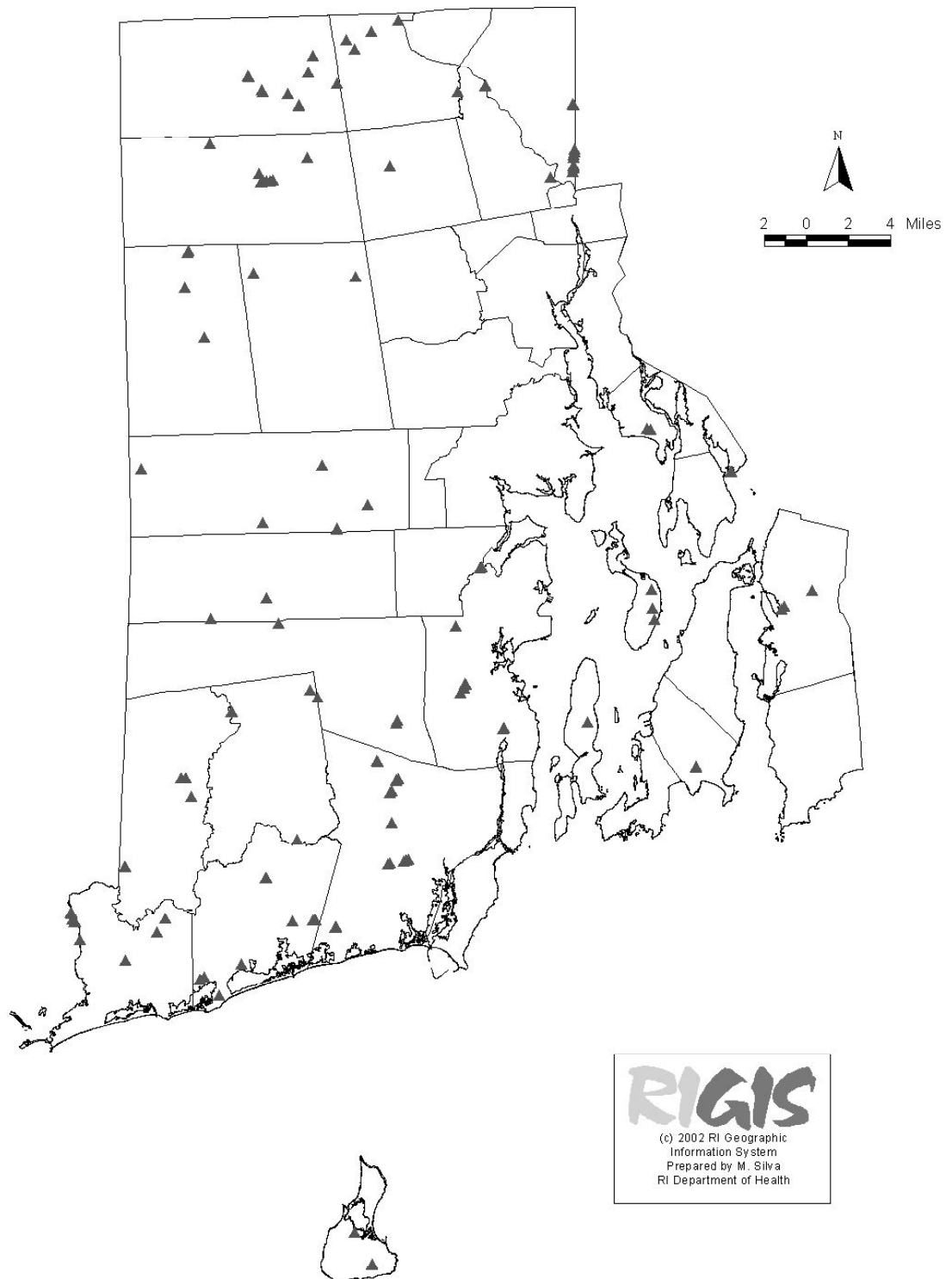


Figure 723-3 (2): Community Wells



3-6 FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

FEMA monitors, oversees, and coordinates federal disaster relief and emergency assistance programs under a Presidential Declaration of a major disaster or emergency. Assistance includes repairing and restoring public and private non-profit facilities and providing community services including water, temporary housing, loans, grants, etc. Federal agencies may be directed to provide technical assistance and advisory personnel when the disaster is beyond the capability of the local government or the state. The local government must identify the problem, actions being taken, and appropriate assessment data as well as declare an emergency and request emergency aid from the Governor. Drought is specifically included as a major disaster.

**Contact : Rhode Island Emergency Management Agency
654 New London Avenue
Cranston, RI 02920**

**Tel. 946-9996
24 hours answering service Fax 944-1891**

3-7 RHODE ISLAND NATIONAL GUARD (RING)

The RING response to water emergencies requires a declaration of state emergency issued by the Governor. Assistance for water-related crises should be requested through the RIEMA. The RING is basically equipped to provide potable water transport and storage.

**Contact: RI National Guard
Command Readiness Center
645 New London Avenue
Cranston, RI 02920**

3-8 U. S. ARMY CORPS OF ENGINEERS

The US Army Corps of Engineers is a federal agency that aids in construction of reservoirs primarily utilized for flood control, recreation, and water supply purposes. The Corps has responsibility for permitting new surface water supplies when approval is under the jurisdiction of the federal wetlands regulations. The Corps is authorized to supply safe drinking water in an emergency to localities confronted with a source of contaminated drinking water causing, or likely to cause, a substantial threat to public health and welfare. The water distribution system may be publicly or privately owned, and state and local resources must be fully expended, including the National Guard. Loss of water supply is not cause for assistance; permanent restoration of drinking water supply is a local responsibility.

Emergency water for drought assistance can be provided when the secretary of the army determines there is an inadequate water supply, which is a substantial threat to the health and welfare of inhabitants, and all local resources are expended. The applicant is responsible for the cost of the water, although transportation is a federal expense.

**Contact: New England Division
424 Trapelo Road
Waltham, MA 02254-9149**

Tel. (617) 647-8275

3-9 U.S. SMALL BUSINESS ADMINISTRATION (SBA)

The Small Business Administration provides low-interest working capital loans to businesses needing to meet financial obligations arising from natural disasters.

**Contact: U.S. Small Business Administration
380 Westminister Mall Rm 511
Providence, RI 02903**

Tel. 528-4561

3-10 U.S. DEPARTMENT OF AGRICUTURE (USDA)

3-10-1 Soil Conservation Services (SCS)

The Soil Conservation Service provides financial and technical assistance to private and public landowners, and emergency aid in relieving imminent threats to life and property as a result of a sudden impairment of a watershed. Programs applicable to emergency actions respond to natural disasters, such as earthquakes and floods, rather than disasters due to droughts. The SCS provides information and materials (maps and reports) on watershed projects, river basin studies, and resource conservation and development projects. Agency equipment is available for emergency use. Generally, SCS provides technical assistance for projects financed by the Farmers Home Administration.

**Contact: Soil Conservation Service Water Resources Coordinator
60 Quaker Lane
Warwick, RI 02886**

Tel. 828-1300

3-10-2 Farmers Home Administration (FHA)

The Farmers Home Administration provides loans to buy, build, repair, rehabilitate rural homes and related facilities, including water and waste disposal systems, for low or moderate-income persons in rural areas. Loans can be used to construct, improve, or repair farm homes and service buildings, and to drill wells, develop water, and improve farm water supplies. Loan guarantees for those suffering losses or experiencing financial distress from drought or other disaster are generally limited to farm-related enterprises and rural small businesses.

Water and waste disposal loans and grants are available for communities to restore deteriorating water supplies and to improve or enlarge water facilities or inadequate waste facilities. Priority is given to incorporated communities with no more than 5,500 people, and to small facilities serving low-income populations for construction, repair, improvement, expansion, or modification of reservoirs, wells, pipelines, and pumping stations. Funding to modify a rural supply facility, tie into another water supply system, purchase, treat, or recycle water are available to rural businesses in any unincorporated community.

The Farmers emergency community water assistance grants to rural residents that have experienced a significant decline in quantity or quality of water to obtain adequate quantities of water that meet the standards of the Safe Drinking Water Act. Applicants can be public bodies or private non-profits who demonstrate that the decline occurred within two years of the FHA filing date.

**Contact: USDA, FHA
County Supervisor
60 Quaker Lane
Suite 48 501
Warwick, RI 02893**

826-0842

**County Supervisor
Great Rd, Rm. 106
N. Smithfield, RI 02895**

765-8685

**District Office, US Post Office Building
Rm. 173 127 Social Street
Woonsocket, RI 02895**

Tel. 765-5500

3-10-3 Soil and Water Conservation Districts

The Soil and Water Conservation Districts assist in the distribution of information advising farmers and other landowners about techniques available to reduce irrigation and other water uses. They receive technical assistance and are affiliated with the USDA, Soil Conservation Service.

Contact: RI Association of Conservation Districts

Northern RI District Office

19 Smith Avenue

Greenville, RI 02828

Tel. 949-1480

Southern RI District Office

5 Mechanic Street

PO Box 1145 Hope Valley, RI 02832

Tel. 539-7767

Eastern RI District Office

909 East Main Road

Middletown, RI 02840

Tel. 847-9196

3-11 RHODE ISLAND DEPARTMENT OF TRANSPORTATION (RIDOT)

RIDOT assists in the clean up of major accidents or spills, as the Department has diverse equipment and supplies at hand to respond to many types of roadway incidents. The RIDOT responds at the request of state public safety officials. The RIDOT may provide barricades to prevent traffic from further aggravating a situation, sand for absorption and containment of a hazardous release, berms to contain spills and prevent leakage to waterways or drains, and sweepers to remove contaminated sand from a road surface. The RIDOT also maintains engineered maps of state roadways, which may be useful to reference in the containment efforts of large hazardous spills.

Contact: RI Dept. of Transportation Maintenance Headquarters

90 Calverly Street

Providence, RI 02908

(24 hours) Tel. 277-2378

3-12 RHODE ISLAND STATE POLICE

The state police may be the primary responder to accidents or hazardous material releases occurring throughout the state. The state police secure areas protecting the general public along with local police. They notify local fire officials and emergency crews as necessary.

Contact: State Police Headquarters

311 Danielson Pike

North Scituate, 02957

Tel. 444-1000

3-13 U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA)

EPA jurisdiction over water resources is broad in that it encompasses authority from the Clean Water Act [CWA] of 1972, the Safe Drinking Water Act [SDWA] of 1974, the Resource Conservation and Recovery Act [RCRA] of 1976, and the Superfund Act (Comprehensive Environmental Response, Compensation, Liability Act [CERCLA]) of 1980).

Some of these rules assist the EPA in protecting groundwater resources from solid or hazardous waste contamination. Unfortunately, the discovery of hazards usually takes place after pollutants have moved into a water supply, creating health and environmental problems. The EPA, through the SDWA, regulates the quality of community drinking water at the point of use by establishing maximum contaminant levels for drinking water supplies, setting standards for underground injection wells used for disposal, and designating aquifers as sole source if it is the sole or principal source of an area's drinking water. In Rhode Island the DOH has primacy on enforcement and compliance with drinking water standards.

The EPA and the Coast Guard share federal responsibility for hazardous substance releases including oil. Notification is required for any incident affecting inland waters, and under the National Response Plan the EPA is able to access all available federal agencies to assist. The EPA responds to hazardous material releases affecting inland waters; generally the Coast Guard maintains purview over coastal waters.

**Contact: Environmental Protection Agency Region I
Water Management Division
John F. Kennedy Federal Building
Boston, MA 02203**

**Tel. (617) 860-4385
Safe drinking water hotline (800) 426-4791
24 Hour Chemical Spill Emergency [ARI-SPIL] 274-7745**

EPA funding allows local governments to receive up to \$25,000 reimbursement for hazardous material release clean-up activities. A local official is required to call 274-7745 within one hour of the event to qualify.

3-14 U.S. COAST GUARD

The Coast Guard responds to some hazardous substance releases in coastal waters under federal authority. Although the Coast Guard shares responsibility with the EPA, the Coast Guard oversees and manages clean up and removal of chemical and oil discharges.

**Contact: US Coast Guard, Marine Safety Office,
John O. Pastore Federal Building
Providence, RI 02093-1790**

**Tel. 528-5335
(800)-424-8802**

3-15 U.S. GEOLOGICAL SURVEY [USGS]

The USGS, in a cooperative effort with the Rhode Island Water Resources Board and the DEM, monitors stream flow and groundwater levels at various locations around the state. This information is used for predicting and defining water volumes for flood and drought severity and duration. Additional surveys, conducted as needed, analyze drought trigger criteria. The USGS also produces and sells topographic quadrangle maps.

**Contact: US Geological Survey,
275 Promenade Providence, RI 02908**

Tel. 331-9050